

Members

Rep. Thomas Kromkowski, Chairperson
Rep. James Bottorff
Rep. Robert Behning
Rep. Kathy Richardson
Sen. Sue Landske
Sen. Billie Breaux
Sen. Becky Skillman
Sen. Allie Craycraft



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MEETING MINUTES¹

Meeting Date: September 21, 2000
Meeting Time: 10:30 A.M.
Meeting Place: State House, 200 W. Washington St., Room 233
Meeting City: Indianapolis, Indiana
Meeting Number: 2

Members Present: Rep. Thomas Kromkowski, Chairperson; Rep. James Bottorff; Rep. Robert Behning; Rep. Kathy Richardson; Sen. Sue Landske; Sen. Becky Skillman; Sen. Allie Craycraft.

Members Absent: Sen. Billie Breaux.

The Chair, Representative Kromkowski, called the meeting to order at 10:36 a.m.

Town Conventions

The Chair opened the discussion with the issue relating to town conventions. The Chair recognized Mr. Roger Wolfe, town council member of Greentown. Mr. Wolf said that he was in favor of maintaining the town convention system which works well for his town and is relatively inexpensive as compared to a primary election.

The Chair recognized Jill Jackson, the Clerk-Treasurer of Prince's Lakes. Ms. Jackson said that she was in favor of abolishing town conventions because the

1. Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

procedures were not fair to the electorate. She pointed out that the dates and times of town conventions are different from the primary election, noting that a convention typically lasts only two hours whereas the primary election offers voters a twelve-hour period during which to participate. Ms. Jackson explained the convention process is different from the typical election procedures and conventions are sometimes held in places that are often not convenient for citizens to attend. Ms. Jackson said that the process can often be used to manipulate the outcome of the convention. She told the Committee about circumstances where individuals would participate in the convention of more than one political party. Ms. Jackson advocated abolishing the town convention process or if town conventions are preserved, they should be held in May and filing deadlines for candidates should be made consistent with deadlines that apply to primary election candidates.

Representative Bottorff asked whether the General Assembly should not use the principle of "home rule" to provide a solution and let each community to decide whether to hold town conventions or primary elections. There was discussion among Committee members concerning how to permit towns to exercise an option to choose whether to hold a primary or a convention. Committee members briefly discussed whether a local public question should be the mechanism by which each town would decide. There was also Committee discussion regarding the costs of primary elections as compared to town conventions.

Representative Kromkowski said he would be interested in exploring changing the date conventions are held and to devise a means so that an individual could not participate in more than one convention.

Senator Skillman, referring to the survey on the town convention question conducted by the Indiana Association of Cities and Towns,² wondered about the consistency of the answers to questions #1 and #2 where a majority of the respondents indicated that they did not favor abolishing the town convention system while a larger majority of the respondents said they would favor offering towns the option of having a town convention or using the primary election mechanism to nominate candidates.

Senator Landske asked whether a town would be permitted to return to holding town conventions if the town had chosen to have town primaries under a law that permitted an option. She also asked how often a town would be permitted to exercise the option. Representative Richardson pointed out that the existing law providing towns an option whether to have staggered terms for town board members might provide a model that would answer Senator Landske's points.

Linda Grass, Hancock County Circuit Court Clerk, said she would favor moving town conventions to an earlier date if conventions are retained. Representative Kromkowski again said he would favor moving town conventions to May and providing that a person could not participate in more than one convention during an election year. Representative Richardson suggested that poll lists could be used at town conventions and to require voters to sign in so that a voter could participate in only one convention.

Statewide Voter Registration File

The Chair moved to the next item on the agenda relating to the statewide voter

2. A copy of the survey and the results as sent to the Committee is Attachment 1 to these Minutes.

registration file. Committee staff explained PD 3194.³ The Chair recognized Mr. Spencer Valentine, Co-Director of the Indiana Election Division. Mr. Valentine introduced Ms. Kate Love-Jacobson, President of the Indiana Voter Registration Association and a member of the Voter Registration Board of Allen County. Ms. Love-Jacobson said she favored delay in establishing a statewide voter registration file so that there would be more time to educate voter registration officials and to obtain their suggestions as to how such a statewide system might work. She said it was necessary to give county voter registration officials more control over the system.

Mr. Valentine concluded the testimony on this topic saying that he would favor additional study about the issue, perhaps by a legislative committee that included county election and voter registration officials. Representative Kromkowski indicated that he would file a concurrent resolution to urge the Legislative Council to create such a committee.

Travis Worl, representing the Association of Indiana Counties, said his organization is working with the Election Division to determine what the costs to counties might be of implementing a statewide voter registration file. Mr. Valentine distributed to Committee members copies of an executive summary of a study done for the Election Division by Quest Information Systems concerning the costs of a statewide voter registration file.⁴

Various Election Law Matters

The Chair directed staff to explain PD 3199⁵ relating to various election law matters. Staff explained that the preliminary draft includes the following changes to Indiana election law:

1. The draft provides that an individual is not disqualified from serving as a precinct election official if the individual is related to a candidate who is unopposed.
2. The draft provides that an individual who does not meet the age requirements to be a voter but who is permitted to vote in a primary election under Indiana law is not permitted to vote for precinct committeeman or state convention delegate.⁶

On this point, there was testimony that practice varies from county to county on whether 17-year-old individuals should be permitted to vote for state convention delegates and precinct committeemen. Ms. Grass, Hancock County Circuit Court Clerk, indicated that some counties have decided that whether 17-year-old individuals may vote for these party positions is a matter of party rules and not Indiana law.

Representatives Richardson and Behning pointed out that the proposed

3. A copy of PD 3194 is Attachment 2 to these Minutes.

4. A copy of the summary is Attachment 3 to these Minutes.

5. A copy of PD 3199 is Attachment 4 to these Minutes.

6. Under current Indiana law, an individual who is not yet 18 may vote in a primary election to nominate candidates to be elected at the general election at which the individual will be eligible to vote. However, such an individual is not permitted to vote for candidates who are elected to an office at the primary election, such as a school board candidate.

amendment would require some counties to print paper ballots for state convention delegate and precinct committeemen elections because it is not possible to lock out selected positions on some voting systems.

3. The draft provides that an applicant to register to vote must provide the last four digits of the applicant's Social Security Number on the application.

Ms. Jacobsen said that this measure was necessary to make it possible to assure accurate voter registration lists. Travis Worl, representing the Association of Indiana Counties, said that his organization had received information that a bill is being considered in the Congress that would prohibit required disclosure of an individual's Social Security Number or part of the Social Security Number for various purposes. He said his organization will continue to monitor this development.

4. Several sections of the draft provide a deadline for filing candidate challenges. Testimony at the Committee's previous meeting revealed that Indiana law requires the Indiana Election Board or a county election board to decide a candidate challenge but does not provide a deadline for a challenge to be filed. Staff told the committee that the draft generally requires a challenge to be filed from 10 to 14 days before the date a challenge must be decided under the statute.

5. The draft provides that a candidate must file a statement of organization not later than the date a candidate is required to file the candidate's first campaign finance report.

6. The draft clarifies the law that write-in candidates are required to file an annual campaign finance report.

7. The draft reconciles a conflict in the statute regarding the availability of election materials for public inspection after an election.

8. The draft makes technical changes relating to the colors of each political party's primary election ballot cards and to filling office vacancies.

Representative Behning suggested that the draft include an amendment to require third parties to fill ballot vacancies by the same deadline that the major parties are required to fill the vacancies. The Chair instructed staff to include such amendments in the next draft.

The Chair announced that the Committee would take action on a new draft concerning various election law matters and upon the Committee's final report at the next meeting that will be held on Thursday, October 19 at 10:30 a.m.

The Chair adjourned the meeting at 11:51 a.m.